LAW OFFICES

JOHN D. HEFFNER, PLLC 1750 K STREET, N.W. SUITE 200 WASHINGTON, D.C. 20006

PH: (202) 296-3333 Fax: (202) 296-3939

ENTERED
Office of Proceedings

January 24, 2011

Cynthia T. Brown Chief, Section of Administration

JAN 2 5 2011

Office of Proceedings Surface Transportation Board 395 E Street, SW Washington, DC 20423

VIA ELECTRONIC FILING

228670 RE: STB Finance Docket No. 35407 GNP RLY, INC. – ACQUISITION AND OPERATION EXEMPTION – REDMOND SPUR AND WOODINVILLE SUBDIVISION

228671 STB Docket No. AB-6 (SUB, NO. 463X) BNSF RAILWAY COMPANY - ABANDONMENT EXEMPTION - IN KING COUNTY, WA

228672 STB Docket No. AB-6 (SUB. NO. 465X) BNSF RAILWAY COMPANY - ABANDONMENT EXEMPTION - IN KING COUNTY, WA

Dear Ms. Brown,

Petitioner GNP Rly Inc. ("GNP") respectfully requests a meeting of the parties with the Board's Office of Public Assistance to discuss areas of agreement and potential agreement regarding future utilization of the Eastside Rail Corridor in King and Snohomish Counties, WA.

GNP is encouraged by King County's recent revelation that the County is not unalterably opposed to the reactivation of rail service on the Lines. See, Motion of King County for Leave to Reply, filed January 7, 2011 under this docket

j.heffner@verizon.net www.heffnerlaw.com

number. Moreover, GNP has what it would respectfully characterize as a good working relationship with the Port of Seattle, under whose auspices GNP is currently providing rail freight service on the Northern Segment of the Eastside Rail Corridor, including Port-owned portions of the Redmond Spur. Additionally, GNP wishes to involve Redmond in discussions concerning reactivating freight rail service for shippers west of the Sammanish River along the Redmond-owned segment of the Spur. All other parties should have the opportunity to participate in this meeting, as well as non-party stakeholders including but not limited to other communities along the Rail Corridor. To that end, GNP would be willing to undertake the obligation to provide notice to all parties and potential stakeholders.

Recognizing that some parties are represented by D.C. counsel, while others are represented by Washington State counsel. GNP would offer to bear one-half of the cost of setting up and transmitting a two way teleconference between those attending the meeting in the Board's D.C. offices and those choosing to participate by remote link-up from a convenient location in downtown Seattle.

GNP is willing to leave no stone unturned in attempting to achieve a universally satisfactory negotiated settlement with the other parties. To preserve the status quo, GNP would respectfully request the Board enter an Order holding these proceedings in abeyance for 30 days to enable the parties to schedule and appear for the above requested meeting.

We thank the Board for its time and consideration.

Respectfully submitted, John D. Heffner, PLLC

By: James H. M. Savage

James HM Lavage

Of Counsel

Attorneys for Petitioner GNP Rly Inc.

## **CERTIFICATE OF SERVICE**

I, James H. M. Savage, hereby certify that a copy of the foregoing Letter Request of GNP filed January 24, 2011 by King County to GNP's Motion for Protective Order was served by first-class United States mail or electronic mail upon the following:

Matthew Cohen \*
Hunter Ferguson\*
Stoel Rives LLP
600 University Street, Site 3600
Scattle, WA 98101

Robert vom Eigen \*
Folcy & Lardner LLP
Washington Harbour
3000 K Street, NW, Suite 500
Washington, DC 20007-5143

Kurt Triplett City of Kirkland 125 5<sup>th</sup> Avenue Kirkland, WA 98033

Jean M. Cerar Issaquah Valley Trolley P.O. Box 695 Issaquah, WA 98052

Isabel Safora\*
Ann DeKoster\*
Port of Seattle
P.O. Box 1209
Seattle, WA 98111
safora.i@portseattle.org
dekoster.a\*a portseattle.org

Steve Sarkozy City of Bellevue Manager P O. Box 90012 Bellevue, WA 98009 Karl Morell \*
Ball Janik LLP
1455 F Street, NW, Suite 225
Washington, DC 20005

Robin Pollard Washington Wine Commission 1000 Second Ave., Suite 1700 Seattle, WA98104-3621

Tom Carpenter International Paper International Place I 6400 Poplar Avenue Memphis, TN 38197

Don Davis Master Builders Association of King and Snohomish Counties 335 116<sup>th</sup> Ave. S.E. Bellevue, WA 98004

Charles A. Spitulnik \*
Allison I. Fultz\*
W. Eric Pilsk\*
Kaplan Kirsch & Rockwell LLP
1001 Connecticut Avenue, NW, Suite 800
Washington, DC 20036

Kathy Cox Marketing Philharmonic 218 Main St. #668 Kirkland, WA 98033

<sup>\*</sup>Flectronic service

Ernest F. Wilson, PLS 17509 NE 38<sup>th</sup> Court Redmond, WA 98052

Dean Kattler Waste Management of WA, Inc. 13225 N.E. 126<sup>th</sup> Place Kirkland, WA 98034 Andrea C. Ferster Rails-To-Rails Trails Conservancy 2121 Ward Court, NW, 5<sup>th</sup> Floor Washington, DC 20037

Paul Zimmer Eastside Rail Now P.O. Box 3524 Bellevue, WA 98009

Dated: January 24, 2011